

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

_____	)	MDL No. 1456
IN RE PHARMACEUTICAL INDUSTRY	)	Master File No. 01-12257-PBS
AVERAGE WHOLESALE PRICE LITIGATION	)	
_____	)	Judge Patti B. Saris
	)	
THIS DOCUMENT RELATES TO:	)	
State of California, <i>ex rel.</i> Ven-A-Care v.	)	
Abbott Laboratories, <i>et al.</i>	)	
CASE #: 1:03-cv-11226-PBS	)	
_____	)	

**STATE OF CALIFORNIA'S AND RELATOR'S STATUS REPORT JUNE 1, 2005**

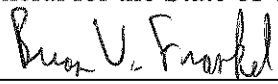
The undersigned counsel, on behalf of plaintiffs STATE OF CALIFORNIA ("CALIFORNIA") and Relator, VEN-A-CARE OF THE FLORIDA KEYS, INC. ("VEN-A-CARE" or "RELATOR"), hereby submit the attached Status Report to the Court in accordance with the Court's June 17, 2004 Procedural Order.

Respectfully submitted,

BILL LOCKYER  
Attorney General for the State of California

Dated: June 1, 2005

By: \_\_\_\_\_

  
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Dated: June 1, 2005

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**MDL 1456 Status Report**  
**State of California, *ex rel.* Ven-A-Care v. Abbott Laboratories, *et al.***  
**Case No.: 1:03-cv-11226-PBS**

**Complaint-in-Intervention:**

Plaintiffs intend to file an amended Complaint-in-Intervention, pursuant to the Federal Rules of Civil Procedure, which will supersede the original Complaint-in-Intervention filed against defendants ABBOTT LABORATORIES, INC., WYETH INC., and WYETH PHARMACEUTICALS, INC. in California State Court on January 7, 2003. Plaintiffs are working on finalizing the amended Complaint-in-Intervention, and expect it to be filed soon.

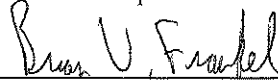
**Anticipated Filings:**

The Attorney General of California will file additional motions, under seal, as are necessary to fully and effectively prosecute this case under the California False Claims Act (Cal. Gov't. Code §§ 12650, *et seq.*). In addition, plaintiffs will request a Status Conference and the entry of a Case Management Order by a motion to be filed shortly after the filing of the amended Complaint-in-Intervention.

**CERTIFICATE OF SERVICE**

I, Brian V. Frankel, hereby certify that on June 1, 2005, I caused a true and correct copy of the foregoing, **STATE OF CALIFORNIA'S AND RELATOR'S STATUS REPORT JUNE 1, 2005**, to be served on all counsel of record via electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending a copy to Verilaw Technologies (or LexisNexis File & Serve, Verilaw's successor) for posting and notification to all parties.

Dated: June 1, 2005



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